

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
SPARTANBURG DIVISION

Michael McKoy, #299320,)	
)	C.A. No. 7:07-1495-HMH-WMC
Plaintiff,)	
)	
vs.)	OPINION & ORDER
)	
Nathaniel Waddell (Individually),)	
Oreda Waddell (Individually), North)	
Metro Properties, and Corey Heins,)	
)	
Defendants.)	

This matter is before the court with the Report of United States Magistrate Judge William M. Catoe made in accordance with 28 U.S.C. § 636(b)(1) and Local Civil Rule 73.02 for the District of South Carolina.¹ In the Report, Magistrate Judge Catoe recommends transferring the instant action to the Eastern District of North Carolina on the ground that venue in the District of South Carolina is not authorized by 28 U.S.C. § 1391(a).

Michael McKoy (“McKoy”) filed objections to the Report. Objections to the Report must be specific. Failure to file specific objections constitutes a waiver of a party’s right to further judicial review, including appellate review, if the recommendation is accepted by the district judge. See United States v. Schronce, 727 F.2d 91, 94 & n.4 (4th Cir. 1984). In the absence of specific objections to the Report and recommendation of the Magistrate Judge, this

¹ The recommendation has no presumptive weight, and the responsibility for making a final determination remains with the United States District Court. See Mathews v. Weber, 423 U.S. 261, 270 (1976). The court is charged with making a de novo determination of those portions of the Report and Recommendation to which specific objection is made. The court may accept, reject, or modify, in whole or in part, the recommendation made by the Magistrate Judge or recommit the matter with instructions. 28 U.S.C. § 636(b)(1) (2006).

court is not required to give any explanation for adopting the recommendation. See Camby v. Davis, 718 F.2d 198, 199 (4th Cir. 1983).

Upon review, the court finds that McKoy's objections are non-specific, unrelated to the dispositive portions of the Magistrate Judge's Report, or merely restate his claims. Therefore, after a thorough review of the Magistrate Judge's Report and the record in this case, the court adopts the Magistrate Judge's Report.

It is therefore

ORDERED that the instant action is transferred to the Eastern District of North Carolina.

IT IS SO ORDERED.

s/Henry M. Herlong, Jr.
United States District Judge

Greenville, South Carolina
March 19, 2008

NOTICE OF RIGHT TO APPEAL

The Plaintiff is hereby notified that he has the right to appeal this Order within thirty (30) days from the date hereof, pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure.